

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

RAMHARI SUBEDI and ANIRUDRA GAIRES, )  
individually and on behalf of all others )  
similarly situated, )  
 ) Case No. 09 C 4525  
Plaintiffs, )  
 ) Judge St. Eve  
v. )  
 ) Magistrate Mason  
LOUISE MERCHANT; INTERNATIONAL )  
H-2B/J-1 WORK & TRAVEL USA, )  
CORPORATION; IWT INTERNATIONAL, INC.; )  
and IWT STAFFING, INC., )  
 )  
Defendants. )

**PLAINTIFFS' MOTION FOR CLASS CERTIFICATION**

Plaintiffs Ramhari Subedi and Anirudra Gaire ("Plaintiff"), by their attorneys, Markoff Law Firm, LLC and The Consumer Advocacy Center, P.C., and pursuant to Fed. R. Civ. P. 23, move this Court to certify a class in this action as follows:

1. Plaintiffs' claims are based on Defendants' scheme to defraud hundreds of foreign nationals out of money on the promise of obtaining visas and jobs for them in the United States.
2. Because Plaintiffs' claims at issue arise from Defendants' standardized practice of inducing individuals to wire them money from overseas and then not provide the promised visas and jobs, a class action is ideal. Furthermore, the amount at issue for each class members is relatively small and virtually all class members are not in the United States, thus making a representative action appropriate.
3. As detailed in Plaintiffs' accompanying memorandum, the requirements to proceed with a class action - numerosity, commonality, typicality, and adequacy - provided for

by Federal Rule of Civil Procedure 23, are satisfied in this case. Moreover, the requirements for certifying a Rule 23(b)(3) class are also met.

WHEREFORE, Plaintiffs Ramhari Subedi and Anirudra Gaire respectfully request that this Court enter an order certifying the following class:

All persons identified by Plaintiffs who paid a fee to Louise Merchant and/or International H-2B/J-1 Work & Travel USA, Corporation for the purpose of obtaining a H-2B or J-1 visa but did not receive a H-2B or J-1 visa procured by Louise Merchant and/or International H-2B/J-1 Work & Travel USA, Corporation.

RAMHARI SUBEDI AND  
ANIRUDRA Gaire, Plaintiffs,

By: s/ Paul F. Markoff  
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